

## OFFICE OF THE SEBASTIAN COUNTY CIRCUIT CLERK

P. O. Box 1179  
901 South B Street, Room #205  
Fort Smith, Arkansas 72902

P. O. Box 310  
Town Square  
Greenwood, AR 72936

### **Pro Se Divorce Form Information**

**please keep these instructions until you receive your court date from the Judge's office**

1. The Sebastian County Circuit Clerk's Office furnishes forms to assist people who have decided to file for divorce without the assistance of an attorney (referred to as *pro se*). Because there may be legal issues of which you are not aware you are urged to seek the assistance of an Attorney. The Circuit Clerk's office is prohibited by law from giving you legal advice, and assumes no responsibility if you choose to represent yourself. The purpose of the Circuit Clerk's office in furnishing forms for *pro se* litigants is to ensure that the Clerk's office has legible and uniform forms to deal with and to ensure that the basic information required in Arkansas to obtain a divorce is furnished.

2. You should not use the forms if you and your spouse have minor children together, or if you have not already agreeably divided your real and personal property and debts. If you have minor children together, or if you have issues regarding property and debts that have not been resolved, you need to seek the assistance of an Attorney.

3. You should fill in the blanks on the **Complaint** form with the requested information and you should place an X in the appropriate boxes. *You MUST have your signature notarized.* You should also fill out the **Cover Sheet** with the requested information. (You will need the **original and three** copies of the **Complaint** and the **original and two** copies of the **Cover Sheet**.) The Clerk will give you the case number and the name of the Judge who will hear your case when you file your **Complaint**. You do not need to fill in the information on the **Decree of Divorce** form until you receive your court date from the judge hearing your case. The cost to file your **Complaint** is \$165.00. If your spouse will sign a **Waiver of Service of Process and Entry of Appearance** form there will be no additional cost, but if it is necessary for the Sheriff to serve your **Complaint**, the Sheriff will charge an additional fee of \$50.00. *Your spouse MUST have his/her signature notarized.*

4. If you live in the Greenwood District of Sebastian County you must file with the Circuit Clerk's office in Greenwood. All towns in Sebastian County other than Fort Smith are in the Greenwood District. You need to fill in either Fort Smith or Greenwood where it says "District" at the top of the forms.

5. After you file your divorce **Complaint** (four copies), you must either give a file-marked copy to your spouse and have him/her sign the **Waiver of Service of Process and Entry of Appearance** form or you must have a copy of the **Complaint** and a **Summons** (which Summons the is included in this packet) served on your spouse by the Sheriff or by certified mail. If the **Complaint** and **Summons** is served by certified mail you must file the **Affidavit of Service**, stating that you sent a file-marked copy of the **Complaint** and **Summons** to the Defendant by certified mail, return receipt requested, and you must attach the green receipt card which the post office will return to you. The card must have your spouse's signature on it. If someone else signs the green card other than your spouse the service is invalid. Your signature on the **Affidavit of Service** must be notarized. If you can't get the Defendant to sign a **Waiver of Service and Entry of Appearance** or sign the certified mail card then you need to have the Defendant served by the Sheriff.

6. After you have filed your divorce **Complaint** and your spouse's **Waiver of Service and Entry of Appearance** or other proof of service you need to send a letter (included in this packet) with a copy of your **Complaint** and a copy of your proposed **Decree of Divorce** to the Judge and ask for a court date. If the Judge finds you have correctly filled out your **Complaint** and **Decree of Divorce** he will contact you by mail and advise you of your court date. The addresses of the two Judges who hear divorce cases are:

Judge Annie Hendricks  
901 South B St, Room 214  
Fort Smith, AR 72901

Judge Jim Spears  
901 South B St, Room 213  
Fort Smith, AR 72901

7. When you come to court you must bring a witness other than your spouse who can testify that you have lived in Arkansas for the past 90 days and that you are separated from your spouse. You need to bring **four copies** of your completed **Decree of Divorce** form and each copy should be **dated** with the date of your court date. You also need to bring a copy of the **Cover Sheet** which you had filled out when you filed your Complaint.

**Multiple claims. If a complaint asserts multiple claims which involve different subject matter divisions of the circuit court, the cover sheet for that division which is most definitive of the nature of the case should be selected and completed.**

**COVER SHEET**  
**STATE OF ARKANSAS**  
**CIRCUIT COURT: DOMESTIC RELATIONS**

The domestic relations reporting form and the information contained herein shall not be admissible as evidence in any court proceeding or replace or supplement the filing and service of pleadings, orders, or other papers as required by law or Supreme Court Rule. This form is required pursuant to Administrative Order Number 8. Instructions are located on the back of the form.

**FILING INFORMATION**

County: SEBASTIAN District: 12TH Docket Number: DR-

Judge: \_\_\_\_\_ Division: \_\_\_\_\_ Filing Date: \_\_\_\_\_

Plaintiff: \_\_\_\_\_ Defendant: \_\_\_\_\_  
Last Name First Name Last Name First Name

Date of Marriage: \_\_\_\_\_  
Month Day Year

Attorney Providing Information: \_\_\_\_\_  
☐ Plaintiff ☐ Defendant Address \_\_\_\_\_

Litigant, if Pro Se: \_\_\_\_\_  
Address \_\_\_\_\_

Related Case(s): Judge \_\_\_\_\_ Case Number(s) \_\_\_\_\_

Type of Case: (Select One)

☐ IV-D Case (For OCSE use only)

<input checked="" type="checkbox"/> (DV) Divorce	<input type="checkbox"/> (CS) Custody/Visitation	<input type="checkbox"/> (DA) Domestic Abuse
<input type="checkbox"/> (DS) Divorce w/Support	<input type="checkbox"/> (SP) Child Support	<input type="checkbox"/> (FJ) Foreign Judgment
<input type="checkbox"/> (AN) Annulment	<input type="checkbox"/> (PT) Paternity	<input type="checkbox"/> (CT) Contempt
<input type="checkbox"/> (SM) Separate Maintenance	<input type="checkbox"/> (PS) Paternity/Support	<input type="checkbox"/> (BA) Body Attachment
		<input type="checkbox"/> (OT) Other _____

Manner of Filing: ☒ Original ☐ Re-Open ☐ Transfer

**DISPOSITION INFORMATION**

Disposition Date: \_\_\_\_\_ ☐ Bench Trial ☐ Non-Trial ☐ Jury Trial

<b>Decree or Judgment Type:</b>	<b>Dismissal Type:</b>	<b>Other:</b>
<input type="checkbox"/> (JD) Divorce Granted	<input type="checkbox"/> (DW) Dismissed with Prejudice	<input type="checkbox"/> (TR) Transferred to Another Jurisdiction
<input type="checkbox"/> (OD) Other Decree	<input type="checkbox"/> (DN) Dismissed without Prejudice	
<input type="checkbox"/> (OJ) Other Judgment		

**Family Information:**

☒ There are no children born of the marriage.  
☐ There are children born of the marriage; See Confidential Data AOC Form 35

**Public Law 104-193 Information:**

<input type="checkbox"/> ( ) Custody Placed With:	<input type="checkbox"/> Plaintiff	<input type="checkbox"/> Defendant	<input type="checkbox"/> Other (Name) _____
<input type="checkbox"/> ( ) Child Support	<input type="checkbox"/> New	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated
<input type="checkbox"/> ( ) Spousal Support	<input type="checkbox"/> New	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated
<input type="checkbox"/> ( ) Order of Protection	<input type="checkbox"/> Plaintiff	<input type="checkbox"/> Defendant	<input type="checkbox"/> Child
<input type="checkbox"/> ( ) Income Withholding			

Judgment Amount \$ \_\_\_\_\_

Clerk Signature \_\_\_\_\_  
AOC 24 7-05  
625 Marshall Street  
Little Rock AR 72201

Date \_\_\_\_\_  
Send 1 paper or electronic copy to AOC upon Filing.  
Send 1 paper or electronic copy to AOC upon Disposition.  
Keep original in Court file.

**Effective 8-12-2005**

IN THE CIRCUIT COURT OF SEBASTIAN COUNTY, ARKANSAS  
\_\_\_\_\_  
Fort Smith / Greenwood DISTRICT  
DOMESTIC RELATIONS DIVISION \_\_\_\_\_

PLAINTIFF

\_\_\_\_\_  
Name of Plaintiff

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City / State / Zip Code

VS.

CASE NO. DR-\_\_\_\_\_

DEFENDANT

\_\_\_\_\_  
Name of Defendant

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City / State / Zip Code

**COMPLAINT FOR DIVORCE**

Comes now the plaintiff, \_\_\_\_\_, *pro se*, and for his/her complaint  
Name of Plaintiff  
for divorce against the defendant, \_\_\_\_\_, states and alleges:  
Name of Defendant

1. ☐ The plaintiff is a resident of the Fort Smith District of Sebastian County, Arkansas, and has been a resident of the state of Arkansas for more than sixty days before filing of this complaint.

☐ The plaintiff is a resident of the Greenwood District of Sebastian County, Arkansas and has been a resident of the state of Arkansas for more than sixty days before the filing of this complaint.

2. The parties were lawfully married on \_\_\_\_\_ and separated on \_\_\_\_\_  
Date

\_\_\_\_\_, since which time they have lived separate and apart.

Date

3. ☐ No children who were born of the marriage and none are expected.

☐ There are no children who were born of the marriage who are now under the age of eighteen, and none are expected.

4. The parties have already divided their personal property to their mutual satisfaction.

5. ☐ There is no marital real estate to divide.

☐ The parties have already divided their marital real estate to their mutual satisfaction.

6. The parties have agreed that each party will be responsible for those debts in his or her separate name.

7. The defendant has treated the plaintiff with such general indignities as to make plaintiff's life intolerable and to entitle plaintiff to an absolute divorce.

8. ☐ Wife desires to be restored to her former name of \_\_\_\_\_.

☐ Wife desires to retain her present name.

WHEREFORE, plaintiff prays that the court award plaintiff an absolute divorce and for all other relief to which plaintiff is entitled.

\_\_\_\_\_  
Plaintiff

**VERIFICATION**

I, \_\_\_\_\_, plaintiff, state that the statements contained in the foregoing compliant are true and correct to my knowledge and belief.

\_\_\_\_\_  
Plaintiff

STATE OF ARKANSAS     )  
  ) ss.  
COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ Day of \_\_\_\_\_, \_\_\_\_\_, personally appeared before me, a Notary Public for the aforesaid state and county, \_\_\_\_\_, to me well-known or satisfactorily proven, who stated that the statements in the foregoing complaint were true and correct to the best of his/her knowledge and belief.

SUBSCRIBED AND SWORN TO before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_

BOOK 582 PAGE 1953  
FILED  
FT SMITH DIST.  
2011 JAN 6 PM 3 59  
CIR. CLERK SEB. CO.

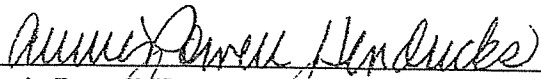
IN THE TWELFTH JUDICIAL DISTRICT  
STATE OF ARKANSAS  
CIRCUIT COURT

ADMINISTRATIVE ORDER NO. 1

All parties to domestic relations actions in Sebastian County are subject to this Order until modified by subsequent Order. This Order remains in effect even after a final Order or Decree has been entered unless modified thereafter by Order of Decree.

1. Each party is Ordered not to bother, harm, or threaten with harm, any other party of family member.
2. Each party is Ordered not to remove, nor to threaten to remove the parties' minor child or children from the State of Arkansas, or to hide their location from the other party.
3. Each party is Ordered not to sell, encumber, mortgage, or dispose of any property belonging to the parties, nor to permanently remove any such property from this State, excepting however, matters in the ordinary course of operating an ongoing business, which shall be accounted for.
4. Each party is Ordered not to obligate the other party on any debt except for absolute necessities.
5. The Plaintiff's attorney shall furnish the Plaintiff with a copy of this Order at the time the Complaint is filed.
6. The Clerk shall attach a copy of this Order to the summons and the Sheriff, his Deputy, a Process Server, or Plaintiff's attorney shall serve the Summons with a copy of this Order attached to it on the Defendant and note the same on the return or affidavit of service.
7. If the Defendant enters his appearance without being served the Defendant shall be furnished a copy of this Order by Plaintiff's attorney and the Entry of Appearance shall reflect that the Defendant received the same.

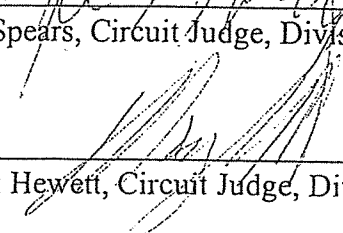
IT IS SO ORDERED this 6<sup>th</sup> day of January, 2011.



Annie Powell Hendricks, Circuit Judge, Division II



Jim Spears, Circuit Judge, Division III



Mark Hewett, Circuit Judge, Division IV

IN THE CIRCUIT COURT OF SEBASTIAN COUNTY, ARKANSAS

\_\_\_\_\_  
Fort Smith / Greenwood  
DISTRICT  
DOMESTIC RELATIONS DIVISION \_\_\_\_

PLAINTIFF

\_\_\_\_\_  
Name of Plaintiff

VS.

CASE NO. DR-\_\_\_\_\_

DEFENDANT

\_\_\_\_\_  
Name of Defendant

**WAIVER OF SERVICE OF PROCESS AND ENTRY OF APPEARANCE**

The defendant, \_\_\_\_\_, comes before the court and states that the defendant has received a file marked copy of the complaint that has been filed in this case and that he/she waives the necessity of having the complaint served on him/her by the sheriff or by mail. The defendant further states that the court may proceed to hear this matter without further notice to the defendant and that the relief requested in the complaint by the plaintiff may be granted to the plaintiff without objection by the defendant.

\_\_\_\_\_  
Signature of defendant

STATE OF ARKANSAS

COUNTY OF SEBASTIAN

Subscribed and sworn to before me, a Notary Public, this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_



IN THE CIRCUIT COURT OF SEBASTIAN COUNTY, ARKANSAS

FORT SMITH DISTRICT

\_\_\_\_\_ DIVISION

\_\_\_\_\_  
V

CASE NO. \_\_\_\_\_

PLAINTIFF

\_\_\_\_\_

DEFENDANT

**S U M M O N S**

**THE STATE OF ARKANSAS TO DEFENDANT:**

\_\_\_\_\_ (Defendant's name and address)

\_\_\_\_\_

A lawsuit has been filed against you. The relief demanded is stated in the attached complaint. Within 30 days after service of this summons on you (not counting the day you received it) – or 60 days if you are incarcerated in any jail, penitentiary, or other correctional facility in Arkansas – you must file with the clerk of this court a written answer to the complaint or motion under Rule 12 of the Arkansas Rules of Civil Procedure.

The answer or motion must also be served on the plaintiff or plaintiff's attorney, whose name and address are: \_\_\_\_\_

If you fail to respond within the applicable time period, judgment by default may be entered against you for the relief demanded in the complaint.

CLERK OF COURT

DENORA COOMER

Address of Clerk's Office

PO Box 1179

Fort Smith AR 72901

(SEAL)

\_\_\_\_\_  
Signature of Clerk or Deputy Clerk

Date: \_\_\_\_\_

NO. \_\_\_\_ This summons is for \_\_\_\_\_(name of Defendant)

**PROOF OF SERVICE**

- ☐ I personally delivered the summons and complaint to the individual at \_\_\_\_\_  
\_\_\_\_\_ (place) on \_\_\_\_\_ (date); or
- ☐ I left the summons and complaint in the proximity of the individual by \_\_\_\_\_  
\_\_\_\_\_ after he/she refused to receive it when I offered it to him/her; or
- ☐ I left the summons and complaint at the individual's dwelling house or usual place of abode at  
\_\_\_\_\_ (address) with \_\_\_\_\_ (name);  
a person at least 14 years of age who resides there, on \_\_\_\_\_ (date) : or
- ☐ I delivered the summons and complaint to \_\_\_\_\_ (name of  
individual), an agent authorized by appointment or by law to receive service of summons on  
behalf of \_\_\_\_\_ (name of defendant) on \_\_\_\_\_ (date); or
- ☐ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I served the  
summons and complaint by first-class mail, return receipt requested, restricted delivery, as  
shown by the attached signed return receipt.
- ☐ I am the plaintiff or an attorney of record for the plaintiff in this lawsuit, and I mailed a copy of  
the summons and complaint by first-class mail to the defendant together with two copies of a  
notice and acknowledgment and received the attached notice and acknowledgment form within  
twenty days after the date of mailing.
- ☐ Other (specify): \_\_\_\_\_
- ☐ I was unable to execute service because: \_\_\_\_\_  
\_\_\_\_\_

My fee is \$ \_\_\_\_\_

**To be completed if service is by a sheriff or deputy sheriff:**

Date: \_\_\_\_\_

SHERIFF OF SEBASTIAN COUNTY, ARKANSAS

BY: \_\_\_\_\_

(SIGNATURE OF SERVER)

\_\_\_\_\_  
(Printed name, title, and badge number)

**To be completed if service is by a person other than a sheriff or deputy sheriff:**

Date: \_\_\_\_\_

By: \_\_\_\_\_

(SIGNATURE OF SERVER)

\_\_\_\_\_  
(printed name)

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Subscribed and sworn to before me this date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

Additional information regarding service or attempted service:

\_\_\_\_\_  
\_\_\_\_\_

IN THE CIRCUIT COURT OF SEBASTIAN COUNTY, ARKANSAS

DISTRICT

Fort Smith / Greenwood

DOMESTIC RELATIONS DIVISION \_\_\_\_

PLAINTIFF

\_\_\_\_\_  
Name of Plaintiff

VS.

CASE NO. DR-\_\_\_\_\_

DEFENDANT

\_\_\_\_\_  
Name of Defendant

**AFFIDAVIT OF SERVICE**

I, \_\_\_\_\_, after being duly sworn, state that on \_\_\_\_\_,

name of plaintiff

\_\_\_\_\_, 201\_\_ I mailed copies of the complaint for divorce and a copy of the summons to the defendant, \_\_\_\_\_, at his/her address of \_\_\_\_\_, by certified mail, restricted delivery, return receipt requested.

The complaint and summons were delivered to the defendant as is shown by the return receipt attached to this affidavit which bears the signature of the defendant.

\_\_\_\_\_  
Signature of plaintiff

STATE OF ARKANSAS

COUNTY OF SEBASTIAN

Subscribed and sworn to before me, a Notary Public, this \_\_\_\_ day of

\_\_\_\_\_, 201\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_  
Date

Honorable \_\_\_\_\_  
Circuit Judge  
901 South B Street  
Fort Smith AR 72901

RE: \_\_\_\_\_ vs \_\_\_\_\_  
                    Plaintiff name                      Defendant name  
Sebastian County Circuit Court Case Number DR-\_\_\_\_\_

Dear Judge \_\_\_\_\_:

Please set the above referenced case for an Uncontested Hearing at the Court's earliest convenience.

The Defendant: \_\_\_\_\_ was served with a Summons  
\_\_\_\_\_  
\_\_\_\_\_ signed a Waiver of Service of Process and  
Entry of Appearance

Thank you for your attention and consideration in this matter.

Sincerely,

\_\_\_\_\_ signature

\_\_\_\_\_ print name

\_\_\_\_\_ address

\_\_\_\_\_ address

IN THE CIRCUIT COURT OF SEBASTIAN COUNTY, ARKANSAS

\_\_\_\_\_  
Fort Smith / Greenwood  
DISTRICT  
DOMESTIC RELATIONS DIVISION \_\_\_\_\_

PLAINTIFF

\_\_\_\_\_  
Name of Plaintiff

VS.

CASE NO. DR-\_\_\_\_\_

DEFENDANT

\_\_\_\_\_  
Name of Defendant

**DECREE OF DIVORCE**

Now on this \_\_\_\_ day of \_\_\_\_\_, 201\_\_, this cause comes on for hearing with the plaintiff, \_\_\_\_\_, appearing in person, *pro se*, and the defendant, \_\_\_\_\_, having been properly served, or having entered his/her appearance, appears not. After considering the testimony of the plaintiff and plaintiff's witness, the court finds:

1. This court has jurisdiction of the parties and subject matter of this cause of action.
2. The plaintiff has proved the allegations of his/her complaint by a preponderance of the evidence and the plaintiff is entitled to an absolute divorce on the grounds of general and personal indignities.
3. ☐ There were no children born of the marriage and none are expected.  
☐ The children born of the marriage are now adults.

4. Each party is awarded that personal property now in his or her possession free and clear of any claims of the other party. Each party shall sign and deliver to the other any document of title necessary to give full title to the other person.

5. ☐ There is no marital real estate to divide.

☐ The marital real estate has already been divided.

6. Each party will be responsible for those debts in his or her separate name.

7. ☐ The wife is restored to her former name of \_\_\_\_\_.

☐ The wife desires to retain her present name.

IT IS SO ORDERED, ADJUDGED, AND DECREED.

\_\_\_\_\_  
Circuit Judge